

The licensees requested the Commission's approval of the transfer of operating authority to FENOC and issuance of a conforming license amendment pursuant to 10 CFR 50.80 and 50.90. Notice of this application for approval and an opportunity for a hearing were published in the **Federal Register** on August 4, 1998 (63 FR 41600), and an Environmental Assessment and Finding of No Significant Impact was published in the **Federal Register** on September 10, 1998 (63 FR 48531).

Under 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. Upon review of the information contained in the submittals of June 30, October 27, and November 30, 1998, and other information before the Commission, the NRC staff has determined that FENOC is qualified to hold the license to the extent and for the purposes described above, and that the transfer of the license as described above is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission, subject to the conditions set forth below. These findings are supported by a Safety Evaluation dated December 2, 1998.

III.

Accordingly, pursuant to Sections 105, 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended; 42 USC §§ 2135, 2201(b), 2201(i), and 2234; and 10 CFR 50.80, *it is hereby ordered* that the Commission consents to the transfer of the license as described herein to FENOC, subject to the following conditions:

(1) FENOC shall not market or broker power or energy from the Perry Nuclear Power Plant, Unit No. 1. The owners are responsible and accountable for the actions of FENOC to the extent that said actions affect the marketing or brokering of power or energy from the Perry Nuclear Power Plant, Unit No. 1, and, in any way, contravene the antitrust license conditions contained in the license.

(2) Should the formation of FENOC and transfer of operating authority not be completed by December 31, 1999, this Order shall become null and void, provided, however, on application and for good cause shown, such date may be extended.

This Order is effective upon issuance. Action on the proposed conforming license amendment will be taken upon implementation of the transfer approved by this Order.

For further details with respect to this Order, see the licensees' application dated June 30, 1998, as supplemented by submittals dated October 27 and November 30, 1998, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Perry Public Library, 3753 Main Street, Perry, OH 44081.

Dated at Rockville, Maryland, this 2nd day of December.

For the Nuclear Regulatory Commission.

Roy P. Zimmerman,

Acting Director, Office of Nuclear Reactor Regulation.

[FR Doc. 98-32630 Filed 12-8-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-003]

Consolidated Edison Company; Indian Point Nuclear Generating Station, Unit 1; Notice of Public Meeting

The NRC will conduct a public meeting at the New York State Armory, 955 Washington Street, Peekskill, New York 10566-5815, on January 20, 1999, to discuss plans developed by Consolidated Edison Company (Con Edison) to decommission the Indian Point Nuclear Generating Station Unit 1. The Indian Point Station, located in Buchanan, New York, includes the permanently shutdown Unit 1 and two operating units. Unit 2 is operated by Consolidated Edison Company, and Unit 3 by New York Power Authority. The meeting is scheduled for 7:00-9:30 p.m., and will be chaired by Mr. Francis X. Cameron, Deputy Assistant General Counsel and Special Counsel for Public Liaison, NRC. The public meeting is being held pursuant to the NRC's regulations in Title 10 of the Code of Federal Regulations, Section 50.82(a)(4) regarding the requirements of a public meeting on the licensees plans for decommissioning the facility as described in the post-shutdown decommissioning activities report (PSDAR). Con Edison submitted a decommissioning plan, which was approved by the NRC in January 1996, prior to the rule change promulgated at 61 FR 39301 (July 29, 1996), requiring a PSDAR. Decommissioning plans approved prior to the revision are considered to meet the requirement for a PSDAR and are subject to the revised regulations, including the requirement for a public meeting. The meeting will

include a presentation by the NRC staff on the decommissioning process and NRC programs for regulatory oversight of decommissioning activities. There will also be a presentation by Consolidated Edison Company on planned decommissioning activities. There will be an opportunity for members of the public to ask questions of NRC staff and Con Edison representatives and make comments related to decommissioning of Indian Point Unit 1. The meeting will be transcribed.

Con Edison's decommissioning plan provides a short discussion of the plant history, a description of the unit's radiological conditions, and a description and schedule of planned decommissioning activities. This decommissioning plan and the NRC's safety evaluation associated with the plan is available for public inspection at the White Plains Public Library, 100 Martine Avenue, White Plains, NY 10601. For more information contact John L. Minns, Non-Power Reactors and Decommissioning Project Directorate, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-3166.

Dated at Rockville, Maryland, this 3rd day of December 1998.

For the Nuclear Regulatory Commission.

Seymour H. Weiss,

Director, Non-Power Reactors and Decommissioning Project Directorate Division of Reactor Program Management, Office of Nuclear Regulatory Regulation.

[FR Doc. 98-32634 Filed 12-8-98; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-498 and 50-499]

STP Nuclear Operating Company; Notice of Withdrawal of Application for Amendment To Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of STP Nuclear Operating Company (the licensee) to withdraw its January 28, 1997, application for proposed amendment to Facility Operating Licenses Nos. NPF-76 and NPF-80 for the South Texas Project, Unit Nos. 1 and 2, located in Matagorda County, Texas.

The proposed amendment would have relocated the details of Technical Specification (TS) 6.2.3 on the Independent Safety Engineering Group from the Administrative Controls